

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated April 14, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3-7, 9 and 11 are pending in the Application. Claims 2, 8, 10 and 12-13 are withdrawn. By means of the present amendment, claims 1 and 3-7 are amended including for better conformance to U.S. practice, such as changing "characterized in that" to --wherein-- and amending dependent claims to begin with "The". By these amendments, claims 1 and 3-7 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the drawings are objected to because certain claimed elements were not shown in the drawings. In response, a new drawing sheet is enclosed including new FIGs. 7 and 8. Applicants respectfully request approval of the enclosed proposed new drawings and withdrawal of the drawing objection.

Claim 6 is rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite due to use of the term "the substrate" in the second line of claim 6. Claim 6 is amended herein to cure

this problem and properly reflect the that "the insulating layer is provided with a high-K area ..." Accordingly, it is respectfully submitted that claim 6 is in proper form and it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 1 and 3-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0050599 to Lee. Claims 1, 3-5, 7 and 9 are rejected under 35 U.S.C. §102(b) as allegedly unpatentable over U.S. Patent No. 6,750,924 to Murade (Murade), individually under section 102(b), and under 35 USC §103(a) over Murade in view of Lee. Claim 6 is rejected under 35 U.S.C. §102(b) as allegedly unpatentable over Murade, and under 35 USC §103(a) over Murade and Lee further in view of US Patent No. 6,771,342 to Hirakata. Claim 11 is rejected under 35 U.S.C. §102(b) as allegedly unpatentable over Murade and/or Lee, and further rejected under 35 USC §103(a) as obvious over Murade and/or Lee further in view of WIPO document No. 02/073572 to E. Ink Corp. (E. Ink Corp.). It is respectfully submitted that the claims are allowable over Lee alone, Murade, alone and in combination with Lee, and in further combination with

Hirakata, and Murade and/or Lee in view of E Ink Corp., for at least the following reasons.

Applicants' Fig. 2 shows base layer (13), upon which is disposed insulating layer (12). Active layer (11) is disposed upon insulating layer (12). Apertures (14) extend through the insulating layer (12). Fig. 2 shows the device with flexible coating (3) acting as a protective cover. The active layer (11) is presented one side of insulating layer (12), where the flexible coating is present on the second side of the insulating layer. While Lee's Fig. 4F makes clear that Lee includes an active layer on one side of an insulator (165), Applicants do not find a flexible coating as claimed. There is no flexible coating shown on Lee's insulating layer (165) on its side that is opposite the side at which is present active layer (155).

Murade's FIG. 7a shows an insulating interlayer (41) with a hole (51) extending through to a gate electrode (116G), but (116G) sits atop insulating film 32, not an active layer.

It is respectfully submitted that the device of claim 1 is not anticipated or made obvious by the teachings of Lee alone, Murade alone and in combination with Lee. For example, Lee alone, Murade alone and in combination with Lee does not disclose or suggest, a

device that amongst other patentable elements, comprises (illustrative emphasis added) "an insulating layer of electrically insulating material having a first side and an opposed second side, which insulating layer is provided with a first aperture extending from the first to the second side; an active layer of a semiconductor material on and in contact with the first side of the insulating layer, in and on which active layer at least one switching element is defined, which element is provided with a first electrode in the active layer; a flexible coating on the second side of the insulating layer and acting as a protective cover for the at least one switching element; and a functional layer being present on the second side of the insulating layer and being electrically connected to the first electrode through the first aperture in the insulating layer" as recited in claim 1.

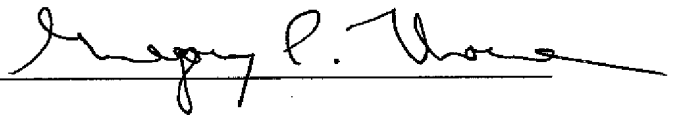
Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Lee alone, Murade alone, and in combination with Lee and notice to this effect is earnestly solicited. Claims 3-7, 9 and 11 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of

the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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Enclosure: New drawing sheet (1 sheet including FIGs. 7 and 8)

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